

Central Valley Regional Water Quality Control Board

13 February 2018

Michael M. Miller
President
Original Sixteen to One Mine, Inc.
P.O. Box 909
Allegany, CA 95910

SELF-MONITORING REPORT REVIEW AND NOTICE OF VIOLATION, ORIGINAL SIXTEEN TO ONE MINE, INC, SIXTEEN TO ONE MINE, SIERRA COUNTY

The Original Sixteen to One Mine (Facility) is owned by Original Sixteen to One Mine, Inc. (Discharger) and is regulated by Waste Discharge Requirements (WDRs) Order R5-2015-0002 and Time Schedule Order (TSO) R5-2015-0035. The Monitoring and Reporting Program (MRP) of the WDRs requires monitoring for constituents and other parameters and specifies the location and frequency of monitoring. Central Valley Water Board staff has reviewed the self-monitoring reports (SMRs) submitted by the Discharger for the **Third Quarter 2017** and **Fourth Quarter 2017** monitoring periods.

Effluent Limitation Violations

The Discharger violated the effluent limitations for arsenic, electrical conductivity, and iron, total recoverable contained in the WDRs. The arsenic concentration also exceeded the interim effluent limitations contained in the TSO, as listed in Table A below. These violations appear to be subject to mandatory minimum penalties (MMPs). A final determination will be made at a later date.

Table A. Effluent Limitation Violations

Date	Parameter	Units	Measured	WDRs Limit	TSO Limit	Period	CIWQS
8/31/2017	Arsenic	µg/L	718.6	10	700	Average Monthly	1038873
12/31/2017	Arsenic	µg/L	983.5	10	700	Average Monthly	1038874
2017	Electrical Conductivity	µmhos/cm	1704 ^β	900	β	Annual Average	1038875

^β Time Schedule Order (TSO) R5-2015-0035 contains interim electrical conductivity limitations based on a maximum daily effluent limit (1426 µmhos/cm) and an average monthly effluent limit (2867 µmhos/cm) averaging periods. Protection from MMPs was lost for electrical conductivity because the effluent concentration exceeded the interim maximum daily effluent limitation in the second and third quarter of 2017, which were reported as 2760 µmhos/cm and 2430 µmhos/cm. Two additional electrical conductivity samples were collected during 2017, which were 406 µmhos/cm and 1220 µmhos/cm. The annual average is calculated by adding the samples taken in 2017 and dividing it by the number of samples, which results in 1704 µmhos/cm and exceeds the WDRs annual average limit.

Effluent Limitation Violations in Compliance with TSO

The Discharger violated the effluent limitations for antimony, arsenic, lead, and nickel as listed in Table B below. However, the Discharger was in compliance with the interim limits contained in the TSO. These violations do not appear to be subject to MMPs. A final determination will be made at a later date.

Table B. Violations Exceeding Effluent Limitations in Compliance with TSO

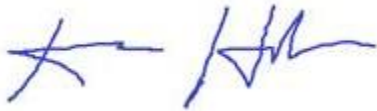
Date	Monitoring Location	Parameter	Units	WDRs Limit	TSO Limit	Measured	Period	CIWQS
8/28/2017	EFF-001	Antimony	µg/L	12	50	33.32	Maximum Daily	1038876
8/31/2017	EFF-001	Antimony	µg/L	6.0	35	33.32	Average Monthly	1038877
8/28/2017	EFF-001	Arsenic	µg/L	20	1000	718.6	Maximum Daily	1038878
8/31/2017	EFF-001	Lead	µg/L	0.90	5	1.03	Average Monthly	1038879
8/28/2017	EFF-001	Nickel	µg/L	43	200	106.3	Maximum Daily	1038880
8/31/2017	EFF-001	Nickel	µg/L	21	150	106.3	Average Monthly	1038881
12/22/2017	EFF-001	Antimony	µg/L	12	50	17.03	Maximum Daily	1038883
12/31/2017	EFF-001	Antimony	µg/L	6.0	35	17.03	Average Monthly	1038884
12/22/2017	EFF-001	Arsenic	µg/L	20	1000	983.5	Maximum Daily	1038885
12/31/2017	EFF-001	Copper	µg/L	3.1	10	3.92	Average Monthly	1038886
12/22/2017	EFF-001	Nickel	µg/L	43	200	57.13	Maximum Daily	1038887
12/31/2017	EFF-001	Nickel	µg/L	21	150	57.13	Average Monthly	1038888
2017	EFF-001	Iron	µg/L	300	†	372	Annual Average	1038889

† Time Schedule Order (TSO) R5-2015-0035 contains interim iron limitations based on a maximum daily effluent limit (2500 µg/L) and an average monthly effluent limit (2100 µg/L) averaging period. The effluent concentrations for iron are protected from MMPs, since both of the TSO's effluent limitations are met.

Delinquent Reports Required by the WDRs and TSO

Board staff is continuing to work with the Discharger to obtain several delinquent or materially deficient reports as outlined in the 15 March 2017 Notice of Violation.

If you have questions or would like to meet to discuss the violations noted in this letter and the potential civil liability assessment, please contact Ayda Soltani at (916) 464-4634 or Ayda.Soltani@waterboards.ca.gov.

A handwritten signature in blue ink, appearing to read 'K. Holmes', is positioned above the typed name.

KARI HOLMES, P.E.
Senior Water Resource Control Engineer
NPDES/ Storm Water Compliance and Enforcement Unit

cc: Jeffrey Reusch, Deputy Attorney General, CA Department of Justice, Office of the Attorney General
Kailyn Ellison, Office of Enforcement, State Water Resources Control Board, Sacramento
Carlos Leets, The Deckard Law Firm, 96 N. 3d Street, Suite 350, San Jose, CA 95112